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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/654,783	09/04/2003	Steven J. Fiore	D/A3195	5495

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EXAMINER

LEE, SUSAN SHUK YIN

ART UNIT	PAPER NUMBER
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2852

DATE MAILED: 05/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/654,783

Applicant(s)

FIORE ET AL.

Examiner

Susan S. Lee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 February 2005.
 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-8,10-14,16,17,20 and 21 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) ☐ Claim(s) _____ is/are allowed.
 6) ☒ Claim(s) 1,4-8,10-14,16,17,20 and 21 is/are rejected.
 7) ☐ Claim(s) _____ is/are objected to.
 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date 2/22/05.
 4) ☐ Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____
 5) ☐ Notice of Informal Patent Application (PTO-152)
 6) ☐ Other: _____

DETAILED ACTION

Upon reconsideration of the claims, the previous allowance of claims 5, 6, 13, 14, and 16 is hereby withdrawn.

Claim Objections

Claims 1 and 4-7 are objected to because of the following informalities:

As to claim 1, line 3, "the belt" lacks antecedent basis.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 4-8, 10-14, 16, 17, 20, and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Sato (Japan, 2-126281).

Sato discloses a photosensitive belt 4 wound on plural rollers supported in frame 8. The photosensitive belt 4 is also stretched between the back-up rollers 27 that read on the plurality of retractable backing members and the roller 49 that reads on the instant invention's tension roller for creating tension in the belt. When a knob 39 (reads on the instant invention's actuating member or lever) is rotated, both backing members 27 and tensioned roller 49 are moved in retreating positions. Then, the belt 4 is in a state where it is separated from a developing roller and a cleaning roller and can be

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removed from the image forming apparatus. Although the abstract do not discussed inserting a new belt, it would be inherent that a new photosensitive belt can be inserted back into the image forming apparatus when the old belt is removed. In Fig. 2, element 41' appears to be a spring that is associated with roller 49.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 8, 12, 13, and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Hamada et al. (6,731,895).

Hamada et al. discloses a method of detensioning a belt 16 by simultaneously retracting a plurality of members such as 15a and 15b by bending shaft 15c. The locations of members 15a and 15b are in a belt unit 11 that reads on the instant invention's photoreceptor module. By extending straight and bending the frame 15 in the middle, a distance between the driving roller 13 and follower roller 14 is to expand and contract in a first position and a second position, respectively. Therefore, the belt 16 can easily be mounted on and demounted from rollers 13 and 14 by bending the frame 15 in the middle. Note column 3, lines 19-49. One of the rollers 13 and 14 reads

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on the instant invention's tension roller because it causes the shape of the belt 16 to change as the members 15a and 15b are moved to withdraw from a first position in which the frame 15 is extended straight to the second position in which the frame 15 is bent. This withdrawing can be defined as retracting. As to the "photoreceptor belt", belt 16 of Hamada et al. reads on the instant invention's photoreceptor belt since there is no function associated to the belt in a method claim. Hamada et al. discloses the same method steps as the method steps of the instant invention.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10, 11, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hamada et al. (6,731,895) in view of Sato (Japan, 2-126,281).

Hamada et al., as discussed above, differs from the instant invention by not disclosing a lever.

Sato discloses using a knob 39 that is rotated so that back-up members 27 are retracted from photosensitive belt 4. The knob 39 reads on the instant invention's lever.

Note abstract.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify apparatus of Hamada et al. with that of Sato by using a

knob to control the movements of backing members for easier handling of the interior parts of the image forming apparatus.

Response to Arguments

Applicant's arguments with respect to claims 17, 20, and 21 have been considered but are moot in view of the new ground(s) of rejection.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Charles et al. and Sanchez-Banos et al disclose art in tensioning and detensioning belts in image forming apparatuses.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan S. Lee whose telephone number is 571-272-2137. The examiner can normally be reached on Mon. - Fri., 10:30-8:00, Second Monday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Art Grimley can be reached on 571-272-2136 or 571-272-2800 (Ext. 52). The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Susan S. Lee
Primary Examiner
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